

**ADJOURNMENT**

On motion of Senator Moore the Senate at 12:26 o'clock p.m. adjourned until 11:00 o'clock a.m. tomorrow.

**APPENDIX**

Sent to Governor

(March 6, 1979)

**S.B. 140****THIRTY-SECOND DAY**

(Wednesday, March 7, 1979)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Andujar, Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Truan, Vale, Williams.

Absent-excused: Mauzy.

A quorum was announced present.

Chaplain Gerald Mann, University Baptist Church, Austin, offered the invocation as follows:

This prayer is delivered at the request of Lieutenant Governor Hobby:

May the Senators respond as quickly when the roll is called in the Senate as they shall when the roll is called up Yonder. Amen.

On motion of Senator Moore and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**LEAVE OF ABSENCE**

Senator Mauzy was granted leave of absence for today on account of important business on motion of Senator Clower.

**MESSAGE FROM THE HOUSE**

House Chamber  
March 7, 1979

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

SIR: I AM DIRECTED BY THE HOUSE TO INFORM THE SENATE THAT  
THE HOUSE HAS PASSED THE FOLLOWING:

HB 272, A bill to be entitled An Act relating to grants and loans by the  
Texas Aeronautics Commission.

HB 542, A bill to be entitled An Act relating to use of various types of  
voting systems in the same election.

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

#### **BILLS SIGNED**

The President announced the signing in the presence of the Senate, after the  
caption had been read, the following enrolled bills:

**S.B. 362**  
**S.B. 568**  
**S.B. 194**  
**S.B. 193**  
**S.B. 160**

#### **REPORTS OF STANDING COMMITTEES**

Senator Snelson submitted the following report for the Committee on  
Intergovernmental Relations:

**S.B. 372**  
**S.B. 343** (Amended)  
**S.B. 436**  
**S.B. 309**  
**S.B. 555**

Senator Farabee submitted the following report for the Committee on  
Jurisprudence:

**S.B. 287** (Amended)  
**S.B. 2**  
**S.B. 433**  
**C.S.S.B. 145** (Read first time)

Senator Jones of Harris submitted the following report for the Committee  
on Administration:

**H.C.R. 55**  
**S.R. 111**

**SENATE BILLS AND RESOLUTIONS ON FIRST READING**

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

**S.B. 748** by Doggett Finance  
Relating to the disposition of funds collected or received by certain state agencies.

**S.B. 779** by Harris Administration  
Relating to creation of a commission to coordinate celebrations of the 150th anniversary of Texas' independence as a republic and progress as a state.

**S.B. 780** by Harris State Affairs  
Relating to the appointment of public weighers.

**S.B. 781** by Jones of Harris Education  
Relating to public school education; amending various provisions of the Texas Education Code, as amended, as follows: amending Section 16.001 relating to the state policy on public education; amending subsection (a), Section 16.052 relating to the required number of days of instruction for students and inservice training and preparation for teachers; amending Sections 16.055 and 16.056 relating to the compensation of certain school district personnel; amending Subsections (a), (b), (c), (d), and (n) of Section 16.102, relating to allocation formulas for personnel under the Foundation School Program; amending Section 16.151 relating to allocations for operating costs; amending Section 16.176, relating to state aid to provide parity of educational opportunity for educationally disadvantaged students; adding a new Section 16.178 relating to state aid to assist local school districts to comply with federal and state judicial and statutory mandates; adding a new Section 16.179 relating to support for demonstration programs for the gifted and talented; adding a new Section 16.180 relating to state aid to assist fast-growing school districts; amending Subchapter F., Chapter 16 relating to allocation formulas for transportation services; amending Section 16.252 relating to a district's share of the cost of the Foundation School Program; amending Subchapter H, Chapter 16 relating to state aid to provide parity of local taxpayer effort; adding a new Subchapter J, Chapter 16 relating to providing Foundation School Program Supplemental Aid Allotments; amending Section 11.86 relating to the determination of school district index values; and declaring an emergency.

**S.B. 782** by Blake Intergovernmental Relations  
Relating to the abolition of county salary grievance committees.

**S.B. 783** by Blake Economic Development  
Relating to eligibility for unemployment compensation benefits.

**S.B. 784** by Mauzy Jurisprudence  
Relating to mandatory workers' compensation insurance.

**S.B. 785** by Mauzy Intergovernmental Relations  
Relating to appointment and use of masters in the district courts in Dallas County.

**S.B. 786** by Moore State Affairs  
Relating to local regulation of drug paraphernalia.

**S.B. 787** by Moore State Affairs  
Relating to the criminal offense of buying or selling endorsements of candidates for public office.

**S.B. 788** by Moore Finance  
Making emergency appropriations pursuant to the provisions of Article 7, Section 18, of the State Constitution, to Texas A&M University and Texas Agricultural Experiment Station, to replace property lost by fire; and declaring an emergency.

**S.B. 789** by Mauzy Education  
To change the day on which the commissioner of education shall recommend to the State Board of Education the names of persons for appointment to the state textbook committee to conform to the day of a State Board of Education meeting; amending Sec. 12.11(a), Texas Education Code, as amended; and declaring an emergency.

**S.B. 790** by Mauzy Education  
Relating to the reprimanding of teachers or the suspension of teaching certificates by the state commissioner of education; amending Section 13.046, Texas Education Code; and declaring an emergency.

**S.B. 791** by Mauzy Education  
Relating to community education programs; and declaring an emergency.

**S.B. 793** by Vale, Price Finance  
Relating to certain tax exemptions for geothermal energy devices.

**S.B. 794** by Vale, Price, Schwartz Natural Resources  
Providing legislation to encourage the use of solar and wind energy; relating to solar easements; providing for penalties; amending Section 3, Chapter 283, Acts of the 40th Legislature, Regular Session, 1927 (Article 1011c, Vernon's Texas Civil Statutes); adding Section 36 to Article 1175, Revised Civil Statutes of Texas, 1925, as amended; amending Chapter 231, Acts of the 40th Legislature, Regular Session, 1927, as amended (Article 974a, Vernon's Texas Civil Statutes), by amending Section 4 and adding Section 4a; amending the Public Utility Regulatory Act (Article 1446c, Vernon's Texas Civil Statutes) by amending Sections 3(c), 38, and 39, by adding Subsections (u) through (y) to Section 3, and by adding a new Section 28A; amending the Energy Conservation in Buildings Act (Article 678i, Vernon's Texas Civil Statutes); setting forth and adding the Solar Device Installers' Licensing Act of 1979 to the Revised Civil Statutes of Texas, 1925, as amended, as Article 6243-102; and declaring an emergency.

**S.B. 795** by Vale Natural Resources  
Relating to the taxation of certain motor fuel containing alcohol.

**S.B. 796** by Vale, Price Finance  
Relating to the solar, wind, geothermal, and alternate energy fund and to the imposition, collection, administration, civil and criminal enforcement, and dedication of taxes on certain natural resources.

**S.B. 797** by Harris State Affairs  
Relating to regulation of persons who practice public accountancy; providing penalties.

**S.B. 798** by Brooks Education  
Relating to gifted and talented students; adding Subchapter J, Chapter 16, Texas Education Code; repealing Section 11.19, Texas Education Code; and declaring an emergency.

**S.B. 799** by Brooks Jurisprudence  
Relating to the appointment and the rights, privileges, duties, and powers of a managing conservator.

**S.B. 800** by Brooks Intergovernmental Relations  
Relating to fees collected by county clerks and clerks of county courts for certain services.

**S.B. 801** by Price, Short State Affairs  
Relating to a family farm security program to encourage loans for farm real estate.

**S.B. 802** by Jones of Taylor Economic Development  
Relating to timely mailing of annual statements, reports, financial statements, tax returns, or tax payments treated as timely filing; amending Article 1.11, Insurance Code, as amended, adding an additional paragraph, and declaring an emergency.

**S.B. 803** by Jones of Taylor Economic Development  
Relating to regulation of the ownership of managing general agents in the insurance business.

**S.B. 804** by Vale Natural Resources  
Relating to the use of solid waste as fuel for electric utility plants.

**S.B. 805** by Vale Human Resources  
Relating to medical and rehabilitative services for children.

**S.B. 806** by Andujar State Affairs  
Relating to local option elections concerning the sale of wine.

**S.B. 807** by Andujar Education  
Authorizing the Board of Regents of The University of Texas System to acquire by purchase, exchange, gift, or otherwise, certain properties to be used for campus expansion and university purposes in The University of Texas System; vesting title in The University of Texas System; providing that this act shall be cumulative; providing for severability, repealing all laws in conflict; and declaring an emergency.

**S.B. 811** by Farabee Economic Development  
Amending Subtitle 3, Title 79, Interest - Consumer Credit - Consumer Protection, Revised Civil Statutes of Texas, 1925, as amended, by adding a new Chapter 10 relating to revolving lines of credit available from certain creditors; regulating, authorizing and limiting certain loan contract requirements, provisions and practices; regulating and limiting interest rates; providing for penalties; and declaring an emergency.

**S.J.R. 42** by Blake Finance  
Proposing a constitutional amendment to authorize the legislature to exempt from taxation the property owned by a church or religious organization and used for religious education or training.

**S.J.R. 43** by Vale Finance  
Proposing a constitutional amendment creating the solar, wind, geothermal, and alternate energy fund and providing for allocation of revenue to the fund.

**S.J.R. 44** by Vale, Price Finance  
Proposing a constitutional amendment authorizing the legislature to exempt geothermal energy devices from property taxation.

**S.J.R. 45** by Harris Finance  
Proposing a constitutional amendment authorizing tax relief for residential homesteads.

**S.J.R. 46** by Harris Finance  
Proposing a constitutional amendment authorizing a limitation on tax increases on residential homesteads.

#### HOUSE BILL ON FIRST READING

The following bill received from the House was read the first time and referred to the Committee indicated:

**H.B. 1030**, To Committee on Education.

#### SENATE RULE 103 SUSPENDED

On motion of Senator Jones of Harris and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on Education might consider **S.B. 781** today at 5:00 o'clock p.m.

#### SENATE BILL 425 ON SECOND READING

On motion of Senator Harris and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 425**, Authorizing and making an appropriation to the Texas Real Estate Commission; and declaring an emergency. (Submitted by Governor as an emergency)

The bill was read second time and was passed to engrossment.

#### SENATE BILL 425 ON THIRD READING

Senator Harris moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 425** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Mauzy.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Mauzy.

**COMMITTEE SUBSTITUTE SENATE BILL 596  
ON SECOND READING**

On motion of Senator Farabee and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 596**, Relating to notice of a reappraisal for property tax purposes.

The bill was read second time.

Senator Farabee offered the following amendment to the bill:

Amend CSSB 596 by striking the present Section 3 and substituting in lieu thereof the following:

Section 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read and was adopted.

On motion of Senator Farabee and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 596  
ON THIRD READING**

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 596** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Mauzy.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Mauzy.

**SENATE BILL 517 ON SECOND READING**

On motion of Senator Ogg and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 517**, Relating to the requirement that school bus drivers give bond.

The bill was read second time and was passed to engrossment.

**SENATE BILL 517 ON THIRD READING**

Senator Ogg moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 517** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Mauzy.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Mauzy.

**SENATE BILL 454 ON SECOND READING**

On motion of Senator Ogg and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 454**, Relating to an exemption from the basic inheritance tax of certain amounts passing to or for the benefit of orphans.

The bill was read second time and was passed to engrossment.

**SENATE BILL 454 ON THIRD READING**

Senator Ogg moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 454** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Mauzy.

The bill was read third time and was passed.

**SENATE BILL 466 ON SECOND READING**

On motion of Senator Brooks and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:



**S.B. 466**, Making an appropriation to the University of Houston. (Submitted by Governor as an emergency.)

The bill was read second time and was passed to engrossment.

**SENATE BILL 466 ON THIRD READING**

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 466** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Mauzy.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Mauzy.

**SENATE BILL 389 ON SECOND READING**

On motion of Senator Traeger and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 389**, Relating to local option elections in certain cities that lie in multi-counties.

The bill was read second time and was passed to engrossment.

**SENATE BILL 389 ON THIRD READING**

Senator Traeger moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 389** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Mauzy.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Mauzy.

**MOTION TO PLACE SENATE BILL 508 ON SECOND READING**

Senator Jones of Taylor asked unanimous consent to suspend the regular order of business and Section 5 of Article III of the State Constitution to take up for consideration at this time:

**S.B. 508**, Relating to the purchase of electricity for use in state buildings.

There was objection.

Senator Jones of Taylor then moved to suspend the regular order of business and Section 5 of Article III of the State Constitution and take up **S.B. 508** for consideration at this time.

The motion was lost by the following vote (Not receiving four-fifths vote of the Members of the Senate): Yeas 21, Nays 6, Present-Not Voting 3.

Yeas: Andujar, Blake, Creighton, Farabee, Harris, Howard, Jones of Taylor, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Price, Santiesteban, Short, Snelson, Traeger, Vale, Williams.

Nays: Clower, Doggett, Kothmann, Patman, Schwartz, Truan.

Present-Not Voting: Braecklein, Brooks, Jones of Harris.

Absent-excused: Mauzy.

#### **PRESENTATION OF GUEST**

The President presented to the Members of the Senate former Senator Fred "Red" Harris.

#### **NOTICE OF CONSIDERATION OF NOMINATIONS**

Senator McKnight gave notice that he would tomorrow submit to the Senate for consideration nominations to agencies, boards and commissions of the State.

#### **SENATE BILL 423 ON SECOND READING**

On motion of Senator Truan and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 423**, Relating to the issuance and renewal of motorboat certificates of number and title.

The bill was read second time and was passed to engrossment.

#### **SENATE BILL 423 ON THIRD READING**

Senator Truan moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 423** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Mauzy.

The bill was read third time and was passed.